

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.2664 of 2018
Date of decision:25.04.2018

Surinder Pal

... Petitioner

Vs.

Tara Chand (since deceased) through LRs

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Chetan Goyal, Advocate, for
Mr. S.K.Choudhary, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the impugned order dated 27.02.2018, whereby, his evidence has been closed by the Court order.

Learned counsel appearing on behalf of the petitioner submits that in case, one opportunity is granted, subject to any terms and conditions which this Court deems fit, the petitioner will conclude the entire evidence. He further submits that no prejudice would be caused to the respondents, who shall be compensated in terms of costs.

I have heard learned counsel for the petitioner and appraised the paper book.

No doubt, the petitioner had taken many adjournments to lead evidence and failed to do so, but I am of the view that the lis between the parties is required to be adjudicated on merits and not on technicalities. In

order to render justice, I deem it appropriate, to grant one effective opportunity to the petitioner before the Court below to conclude entire evidence, subject to payment of costs of ₹5,000/- to be paid to the contesting respondents, which shall be a condition precedent .

I do not intend to issue notice of motion as it would unnecessarily cause expenditure upon the respondents to avail the services of lawyer. In order to defray the costs of litigation, the aforementioned order has been passed.

Accordingly, the revision petition stands allowed.

(AMIT RAWAL)
JUDGE

April 25, 2018
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No